

Exhibit 1

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MANUEL A. BENAVIDEZ,

Plaintiff,

v.

THE CITY OF IRVING, TEXAS and
HERBERT A. GEARS, THOMAS D.
SPINK, BETH VAN DUYN, ALLAN E.
MEAGHER, LEWIS PATRICK, ROSE
CANNADAY, RICK STOPFER, SAM
SMITH, and JOE PHILIPP, in their
official capacities,

Defendants.

CIVIL ACTION NO. 3:07 CV 1850-P

PLAINTIFF'S DISCLOSURE OF EXPERT TESTIMONY
PURSUANT TO RULE 26(a)(2)

TO: Defendants by and through their counsel of record C. Robert Heath, Bickerstaff Heath, Delgado & Acosta LLP, 816 Congress Avenue, Suite 1700, Austin Texas 78701.

Pursuant to Rule 26(a)(2) of the Federal Rules of Civil Procedure, Plaintiff serves this Disclosure of Expert Testimony ("Expert Disclosure") on Defendants.

Plaintiff makes this Expert Disclosure subject to, and without waiving, his right to protect from disclosure any and all communications protected by the attorney-client privilege, attorney-work product doctrine, and any other applicable privilege or exemption from discovery. In addition, Plaintiff makes this Expert Disclosure without waiving any argument he may have concerning the relevancy or admissibility of, or proper weight to be accorded to, any of the materials or information disclosed or referenced herein or to be produced. Plaintiff reserves the right to supplement this Expert Disclosure based upon further investigation, further development of applicable facts, or his receipt and review of Defendants' responses or other information.

A. Plaintiff's Disclosure Pursuant To Rule 26(a)(2)

Pursuant to Federal Rule of Civil Procedure Rule 26(a)(2)(A), Plaintiff hereby discloses the identity of the following individuals who may be called at trial to present evidence under Federal Rules of Evidence 702, 703, and 705:

- (1) Dr. Richard L. Engstrom
Visiting Research Professor of Political Science and Visiting Research Fellow
Center for the Study of Race, Ethnicity, and Gender in the Social Sciences
Duke University
Duke Box 90420
Durham, NC 27708
(504) 756-1478

Pursuant to Rule 26(a)(2)(B), Dr. Engstrom's signed report is attached hereto as Exhibit

1.

- (2) David Ely
Founder, Compass Demographics
6575 N. Vista Street
San Gabriel, CA 91775
(626) 285-3074

Pursuant to Rule 26(a)(2)(B), Mr. Ely's signed report is attached hereto as Exhibit 2.

- (3) Frank Finn
Attorney & Counselor
1700 Pacific Avenue, Suite 3300
Dallas, TX 75201
(214) 969-1265

After July 25, 2008:
One Arts Plaza
1722 Routh Street, Suite 1500
Dallas, TX 75201

Pursuant to Rule 26(a)(2)(B), Mr. Finn's signed report is attached hereto as Exhibit 3.

The materials provided to the above experts by Plaintiff or reviewed by them in preparing their reports are available for review by Defendants.

Respectfully submitted,

BICKEL & BREWER STOREFRONT, P.L.L.C.

By: 

William A. Brewer III
State Bar No. 2967035
Michael L. Smith
State Bar No. 24027989
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**ATTORNEYS FOR PLAINTIFF
MANUEL BENAVIDEZ**


CERTIFICATE OF SERVICE

I certify that I caused a true and correct copy of the foregoing document to be served upon the following counsel of record in the above cause in accordance with the Federal Rules of Civil Procedure on this 9th day of July, 2008.

Via Certified Mail - RRR

C. Robert Heath
Bickerstaff Heath Delgado & Acosta LLP
816 Congress Avenue, Suite 1700
Austin, Texas 78701-2443
Facsimile: 512-320-5638

ATTORNEY FOR DEFENDANTS


Michael Veese